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**MEMO ENDORSED**

May 20, 2020

**By ECF**

Hon. Valerie E. Caproni  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

*Re: Tucker v. Bd. of Elections in the City of New York,*  
No. 20-cv-03111 (VEC)

Dear Judge Caproni:

Application GRANTED. The Clerk of Court is respectfully directed to terminate all pending motions and deadlines and close the case.

SO ORDERED. Date: 05/21/2020



HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE

We represent Plaintiffs in the above-referenced action. Yesterday, the New York State Court of Appeals denied Dan Quart's motion for leave to appeal the Appellate Division, First Department's decision that Cameron Koffman is eligible to be on the ballot for the upcoming Democratic primary election for Member of the Assembly for the 73rd Assembly District. A copy of the Court of Appeals' May 19, 2020 motion decision list is attached as Exhibit A.

Now that Mr. Quart has exhausted his appeals and Mr. Koffman will be on the ballot for the June 23, 2020 primary, we respectfully request leave to voluntarily dismiss this action pursuant to Federal Rule of Civil Procedure 41.

Respectfully submitted,

/s/

Richard D. Emery  
Samuel Shapiro  
Nick Bourland

Encl. Ex. A. – New York State Court of Appeals May 19, 2020 Motion Decision List